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OGC 70-1211

17 July 1970

MEMORANDUM FOR: Director of Special Projects

SUBJECT : Potential Conflict of Interest:

[REDACTED]

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1. This is in response to your memorandum of 15 July 1970, of the same subject above, and by way of follow-up to my several conversations with [REDACTED] and you. As your memorandum outlines, [REDACTED] is currently engaged in a program in which [REDACTED] and three other large companies are engaged under contract. It is intended that in due course one of these four companies will be selected for a major portion of the program. [REDACTED] is resigning to join [REDACTED] and one of the positions which may be available to him is one involving [REDACTED] current contract and its efforts to obtain the ultimate contract under the program. You requested our advice as to whether [REDACTED] would be in violation of the conflict of interest laws if he were to accept that proposed offer.

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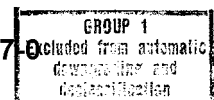
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2. We believe he would be in violation. The relevant statute prohibits a former officer or employee of the Government from acting as an agent for anyone in connection with a contract or other particular matter involving the United States in which he participated personally and subsequently as an officer or employee of the Government. From your memorandum and conversations, it appears that in the proposed position with [REDACTED] would be acting in that capacity.

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3. This opinion on this question of course would not preclude

[redacted] from being employed otherwise by [redacted]

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(S)

[redacted]

Associate General Counsel

OGC [redacted] sin

Distribution:

Original - Addressee

1 - Conflict of Interest file ✓

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15 JUL 1970

OSP-0836-70

MEMORANDUM FOR: General Counsel

ATTENTION : [REDACTED]

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SUBJECT : Potential Conflict of Interest:

[REDACTED]

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1. Presently [REDACTED] is employed as a staff employee in the Design and Analysis Division/OSP assigned to a new program. In the performance of his duties, he is concentrating specifically on a contract with [REDACTED]. He does, however, have access to information from contractors; namely, [REDACTED] who are in competition for a major portion of the program in which he is engaged. The context of the information available to [REDACTED] is the design techniques and tradeoffs of each of those companies and their specific approaches and solutions to the design of the major portion of that program.

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2. [REDACTED] has now advised us that it is his intention to resign from the Agency and join [REDACTED]. One of the positions which may be made available to him at [REDACTED] is one involving the effort which [REDACTED] is doing under contract to this Office and in which [REDACTED] will be competitive to the other three contractors cited above.

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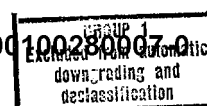
3. It is the general feeling of this Office that in view of [REDACTED] knowledge of the approaches which [REDACTED] competitors are employing and will employ in the competitive effort of that program (selection to be made approximately one year from now), that [REDACTED] if he joined [REDACTED] in any capacity involving that contract, would be in conflict of existing laws on that subject. Accordingly, we propose to advise [REDACTED] and

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SUBJECT: Potential Conflict of Interest: [redacted]

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[redacted] of this conflict. It is requested that you advise us as to our interpretation of the conflict of interest regulations and if indeed [redacted] would be in violation of the law should he accept employment with [redacted] in any capacity involving [redacted] [redacted] work on the program to which [redacted] had been assigned while a staff employee.

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[redacted]

JOHN J. CROWLEY /
Director of Special Projects

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